

**LODI CITY COUNCIL  
REGULAR CITY COUNCIL MEETING  
CARNEGIE FORUM, 305 WEST PINE STREET  
WEDNESDAY, JUNE 7, 2000  
7:00 P.M.**

1. ROLL CALL

Present: Council Members – Hitchcock, Land, Nakanishi, Pennino and Mann (Mayor)

Absent: Council Members – None

Also Present: City Manager Flynn, Deputy City Manager Keeter, Public Works Director Prima, Community Development Director Bartlam, Finance Director McAthie, City Attorney Hays and Interim City Clerk Taylor

2. INVOCATION

The invocation was given by Natalie Reyes, representative of the Spiritual Assembly of the Baha'is of Lodi.

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Mann.

4. AWARDS / PROCLAMATIONS / PRESENTATIONS

- a) Mayor Mann presented a proclamation to Natalie Reyes of the Baha'i, designating June 11, 2000 as "Race Unity Day" in the City of Lodi.
- b) Mayor Mann presented a proclamation to Kathleen Gast, Fire Inspector, designating the week of June 12 – 16, 2000 as "Please Abide, Move Aside" Week in the City of Lodi.
- c) Mayor Mann introduced Recreation Supervisor Lisa Rudloff, who presented an update on current programs and upcoming projects and events. Ms. Rudloff introduced seasonal employees Robert Hoffman, Rebecca Horst and Jennifer Pinnell, and extended her appreciation to Head Swim Coach John Griffin. Grant Plath, Program Coordinator, presented an update on upcoming Lodi Lake activities and events through the summer to include the Oooh Ahhh Festival, the Salmon Festival, and Mokelumne River boat tours.
- d) Mayor Mann introduced Community Improvement Manager Joseph Wood, who presented Darrell Drummond with a Community Improvement Award for the recent improvements he and his wife Candice have made to the residential property located at 734 Virginia Avenue. Mr. Wood asked that citizens consider nominating neighbors who have improved residential or commercial properties by calling his office at 333-6823.
- e) Mayor Mann introduced Rexford Reynolds of the Lodi Arts Commission who provided Council with a written report as well as an oral presentation updating them on the activities and upcoming events sponsored by the Arts Commission. Mr. Reynolds encouraged citizens to participate and enjoy the many events and activities sponsored by the Lodi Arts Commission.

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5. CONSENT CALENDAR

In accordance with report and recommendation of the City Manager, Council, on motion of Council Member Pennino, Hitchcock second, approved the following items hereinafter set forth **(except those otherwise noted)**:

- a) Claims were approved in the amount of \$4,198,073.98.
- b) The minutes of May 17, 2000 (Regular Meeting), May 22, 2000 (Special Meeting), May 23, 2000 (Special Meeting), May 24, 2000 (Special Meeting) and May 30, 2000 (Special Meeting) were approved as written.

- c) Approved the plans and specifications for Beckman Road Reconstruction and Bike Lane Striping, 1,000 Feet South of Vine Street to 700 Feet North of Pine Street, and authorized advertising for bids.
- d) Adopted Resolution No. 2000-86 awarding the contract for Demolition, Clearing and Grading of 11, 15, and 17 West Elm Street, to SEMCO of Modesto in the amount of \$37,301.38.
- e) Agenda Item #E-5 entitled, "Purchase of Used Compressed Natural Gas Trolley" was removed from the Consent Calendar and discussed and acted upon following approval of the Consent Calendar.
- f) Accepted improvements under the "Parks and Recreation Department Restroom Accessibility Retrofit, 125 North Stockton Street" contract and directed the City Engineer to file a Notice of Completion with the County Recorder's office.
- g) Accepted improvements under the "East Lodi Avenue Parcel Site Clearing and Building Demolition, 1400-1500 Block of East Lodi Avenue" contract and directed the City Engineer to file a Notice of Completion with the County Recorder's office.
- h) Accepted the improvements under the "Lodi Multimodal Station" contract and directed the City Engineer to file a Notice of Completion with the County Recorder's office.
- i) Agenda Item #E-9 entitled, "Authorize Public Works Director to Cast Ballot Supporting Proposed Extension of San Joaquin County Water Investigation Zone No. 2 Assessment" was removed from the Consent Calendar and discussed and acted upon following approval of the Consent Calendar.
- j) Adopted Resolution No. 2000-89 declaring the property located at 236½ Cherry Street (Old Well 6) as surplus property, and authorized the City Manager to execute the deed for the sale of the surplus property.
- k) Adopted Resolution No. 2000-90 awarding the bid for the 2000 Handicap Ramp Retrofit Project, Various Locations to BDS Construction, Inc. in the amount of \$41,750, and appropriated the funds for this project.
- l) Adopted Resolution No. 2000-91 authorizing joint participation and the submittal of the funding request form on behalf of the City of Lodi to the department of Conservation's Division of recycling, and further authorizing the Integrated Waste Manager of San Joaquin County to execute in the name of the City of Lodi all necessary forms and information hereto for the purposes of securing payment to implement and carry out the purposes specified in Section 14581 (A)(4)(a) of the California Beverage Container Recycling and Litter Reduction Act.
- m) Set a Public Hearing for June 21, 2000 in order to consider an appeal of the Planning Commission's decision on Century Meadows 4, Delmar Batch, appellant.
- n) Agenda Item #E-14 entitled, "Public Benefits Program Grant – Hill House Museum Demand-side Management Project" was removed from the Consent Calendar and discussed and acted upon following approval of the Consent Calendar.
- o) Adopted Resolution No. 2000-93 approving a Public Benefits Program grant in the amount of \$31,905 for a demand-side management project to the Certaineed Corporation located at 200 S. Beckman Road.
- p) Agenda Item #E-16 entitled, "Public Benefits Program Grant – United Congregational Church Demand-side Management Project" was removed from the Consent Calendar and discussed and acted upon following approval of the Consent Calendar.
- q) Adopted Resolution No. 2000-95 authorizing the City Manager to execute a professional services agreement with Power Engineers, Inc. for an engineering study for Killelea Substation, in an amount not to exceed \$32,000.
- r) Authorized the City to join in Amicus Brief to be filed by the City of San Francisco in the Supreme Court review of *Friends of Sierra Madre, et al. v. City of Sierra Madre et al.*

6. ACTION ON ITEMS REMOVED FROM THE CONSENT CALENDAR

- a) Item #E-5 entitled, "Purchase of Used Compressed Natural Gas Trolley".

Council Member Hitchcock removed this item for additional background information. Public Works Director Prima stated the previous trolley rented for use in the City was very well received, and reported that federal grant dollars were approved by Council approximately one year ago for the purchase of six CNG buses. Five buses are currently being purchased for the five existing routes, but dollars have been held back in the hopes of locating a CNG trolley bus to uniquely provide backup to the fleet vehicles whenever maintenance and down time is required. The bus will be utilized for special events, shuttling citizens in the downtown area during the theater construction and the winter months, and ideally utilized by local teachers who currently pay for City buses to transport school age children for field trips.

Council Member Nakanishi congratulated the City on its forward-thinking in converting to a Compressed Natural Gas (CNG) program, thereby improving our City's air quality, and specifically commended Transportation Manager Carlos Tobar on his hard work and diligent efforts in this regard.

Following discussion, the Council, on motion of Council Member Hitchcock, Nakanishi second, unanimously adopted Resolution No. 2000-87 approving the purchase of a used Compressed Natural Gas (CNG) Dupon Champlain Trolley, and appropriated the funds for this purchase.

- b) Item #E-9 entitled, "Authorize Public Works Director to Cast Ballot Supporting Proposed Extension of San Joaquin County Water Investigation Zone No. 2 Assessment".

Council Member Land removed the item to express concern with the group's efforts to date for Lodi, and asked staff to address the formula used in this particular assessment.

Public Works Director Prima stated there is concern with regard to the urban vs. rural fees assessment; however an assessment has to be tied to some kind of a rational formula, and they are trying to replicate the previously established assessment. While the distribution formula may have flaws, it is reasonable. Mr. Prima further stated that groundwater monitoring has been reviewed in the past year, and the county has undertaken a groundwater management plan, an important effort in moving forward for a conjunctive use project.

Council Member Hitchcock recommended that Lodi officials combine to provide a voice to be heard regarding this matter, and requested that Advisory Commission representative Bob Johnson address the Council with his comments and recommendations.

1. Speaking on the matter was Bob Johnson, 1311 Midvale Road, Lodi Representative to the San Joaquin County Water Advisory Commission. Mr. Johnson stated his concern with the disparity of how the benefit is calculated regarding urban vs. agricultural land, and commented that water is just as important to someone producing acreage in wine grapes as it is to City residents.

Following discussion, Council, on motion of Council Member Pennino, Nakanishi second, adopted Resolution No. 2000-88 authorizing the Public Works Director to cast ballots supporting the proposed extension of the San Joaquin County Water Investigation Zone No. 2 Assessment on behalf of City-owned property, by the following vote:

Ayes: Council Members – Hitchcock, Nakanishi, Pennino and Mann (Mayor)

Noes: Council Members – Land

Absent: Council Members – None

Abstain: Council Members – None

- c) Item #E-14 entitled, "Public Benefits Program Grant – Hill House Museum Demand-side Management Project".

City Council, on motion of Council Member Nakanishi, Pennino second, unanimously adopted Resolution No. 2000-92 approving \$14,700 for a Public Benefits Program grant for a demand-side management project at the Hill House Museum, 826 S. Church Street.

*Continued June 7, 2000*

- d) Item #E-16 entitled, "Public Benefits Program Grant – United Congregational Church Demand-side Management Project".

Council Member Hitchcock removed this item for comment by City Attorney Hays with concern that this financial grant not be in conflict with the separation of church and State.

Mr. Hays stated this is a customer-based program in which all customers of the Electric Utility, in paying their utility bills, contribute to the fund. These are not tax dollars, but dollars created by an enterprise in which they participate and are therefore eligible to receive benefits from this program.

Following additional discussion, Council, on motion of Council Member Hitchcock, Land second, unanimously adopted Resolution No. 2000-94 approving a Public Benefits Program grant in the amount of \$75,769.75 for a demand-side management project at the United Congregational Church located at 701 S. Hutchins Street.

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7. PUBLIC HEARINGS

None.

8. COMMUNICATIONS (CITY CLERK)

- a) On recommendation of the City's Risk Manager and/or the City's contract administrator, Insurance Consulting Associates, Inc. (ICA), the City Council, on motion of Council Member Pennino, Mann second, unanimously rejected the following claims:

- 1. Joyce Simoni, date of loss 2/12/00
- 2. Bruce Shocknesse, date of loss 3/12/00
- 3. Holly Buckley, date of loss 10/1/99
- 4. James Garecht Jr., date of loss 10/1/99

- b) The following report was presented to the City Council:

- 1. Planning Commission report of May 10, 2000.

9. RECESS

Mayor Mann called for a ten-minute recess and the City Council meeting reconvened at approximately 8:35 p.m.

10. REGULAR CALENDAR

- a) Supervisor Jack Sieglock addressed the Council, stating he was here as a representative of the Board of Supervisors to hear Council's and the public's comments and concerns, and introduced Mr. Ben Hulse, Director of the San Joaquin County Community Development Department. Mr. Hulse presented an update on the San Joaquin County General Plan 2010 Review Report, summarizing on the 13 recommendations contained in the report, and responded to questions from the Council.

- 1. Speaking on the matter was Bob Johnson, 1311 Midvale Road, Lodi, who expressed concern with what number or percentage of parcels are leaving the Williamson Act in the near future to the Super Williamson Act. While not speaking against the possibility of the Greenbelt, he was concerned with the high cost of filing for the Super Williamson Act as reported in the local newspaper.

- b) Agenda Item #H-2 entitled, "Downtown Parking Issues – Amend Traffic Resolution to Adopt Angle Parking at Various Locations and Authorization to Suspend Downtown Parking Permit Program" was removed from the Regular Calendar pursuant to staff's request for presentation and discussion at the June 21, 2000 City Council meeting.

*Continued June 7, 2000*

11. RECESS

Mayor Mann called for a ten-minute recess and the City Council meeting reconvened at approximately 10:25 p.m.

12. REGULAR CALENDAR

- a) Deputy City Manager Keeter presented the Council with highlights of the proposed Joint Use Agreement between the City of Lodi and Lodi Unified School District for Reciprocal Use of Public Facilities. Mrs. Keeter reported that the agreement has been subjected to a series of revisions, having been reviewed in great detail with the City/LUSD appointed 2X2 Committee, the Parks and Recreation Commission, and various users of the facilities, and was approved by the LUSD Board of Education on May 16, 2000.

The City Council, on motion of Council Member Pennino, Land second, unanimously adopted Resolution No. 2000-96 approving the Reciprocal Use Agreement for Use of Public Facilities between the City of Lodi and the Lodi Unified School District (LUSD).

13. ORDINANCES

None.

14. COMMENTS BY THE PUBLIC ON NON-AGENDA ITEMS

None.

15. COMMENTS BY CITY COUNCIL MEMBERS ON NON-AGENDA ITEMS

- a) Council Member Hitchcock reviewed a proposed agreement for \$37,000 for customer service training, an expenditure allocated in the proposed budget, and expressed concern in spending this amount, and whether City employees need this type of training. Ms. Hitchcock stated the money might be better spent on conducting a community survey of important issues and projects, and requested this item be brought before Council separate from the budget for clarification and further discussion.

Deputy City Manager Keeter stated this request was addressed during the budget process, and that the proposed agreement was provided to Council only as a sample of the type of program recommended. Ms. Keeter further reminded Council that Customer Service is one of the City's major goals, and that the Management Team supports a program of this type which would be tailored to the specific needs of City employees.

City Manager Flynn reiterated his support and that of the Management Team for this training, which will come before Council as part of the budget on June 21, 2000. Mr. Flynn stated that staff would be available to address this particular item in more detail as part of the Shirtsleeve Session of June 20, 2000.

- b) Council Member Pennino stated he is a strong supporter of customer service training, a very necessary tool in serving our customers, the citizens of this community.
- c) Council Member Land stated that to deal with customers you must have good manners, and special training is required to deal with irate customers. In order to assist and serve the public, \$37,000 is a cheap price to pay for such a valued commodity.
- d) Mayor Mann reiterated his support for Customer Service Training, stating that this is a high priority and that Council should approve moving forward with this training.

16. MEETING OF THE REDEVELOPMENT AGENCY OF THE CITY OF LODI

Mayor Mann adjourned the City Council meeting to a meeting of the Redevelopment Agency of the City of Lodi (LRA). The meeting was called to order by Chairman Mann, and Acting Secretary Taylor recorded roll.

*Continued June 7, 2000*

Due to the late hour, Community Development Director Bartlam was asked to provide Council with a summarized report. Mr. Bartlam stated that Council established the LRA in July 1999 and approved the boundaries for a Redevelopment Survey Area in February 2000 after culminating several years of surveys and studies in Lodi's downtown and the surrounding area. The Area comprises approximately 1,432 acres of commercial, industrial and residential land uses. The Feasibility Report identifies the specific boundaries of the survey area that are eligible for inclusion in a project area formation. Mr. Bartlam requested that Council take the recommended action, giving staff the ability to move forward with preliminary projects.

Board Member Hitchcock requested that the consultants in the audience be given the opportunity to make a full presentation this evening for the benefit of the Council and the citizens. Following discussion, and in light of the late hour, the Agency directed that the item be placed on a future meeting agenda for an in-depth presentation of the Redevelopment Agency Project.

The Agency, on motion of Council Member Pennino, Land second, adopted Resolution No. RDA2000-01 approving the feasibility study for the proposed Lodi Redevelopment Project Area, by the following vote:

Ayes: Council Members – Land, Pennino and Mann (Mayor)  
Noes: Council Members – Hitchcock and Nakanishi  
Absent: Council Members – None  
Abstain: Council Members – None

There being no further business to come before the Agency, Chairman Mann adjourned the meeting of the RDA and reconvened the City Council meeting.

17. CLOSED SESSION

Mayor Mann adjourned the City Council meeting at approximately 10:55 p.m. to a Closed Session to discuss the following matters:

- a) Public Employment – Council Appointee – Job Title, City Clerk – Pursuant to Government Code §54957.

18. RETURN TO OPEN SESSION / DISCLOSURE OF ACTION

The Interim City Clerk was not in attendance during this Closed Session; therefore, there were no minutes taken at this meeting.

19. ADJOURNMENT

There being no further business to come before the City Council, Mayor Mann adjourned the meeting.

ATTEST:

Jacqueline L. Taylor  
Interim City Clerk